

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Samuel Lee Henderson**
Docket No. **268378**
L.C. No. **2003-188904 FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The delayed application for leave to appeal filed February 14, 2006, is DISMISSED for lack of jurisdiction because the application was not filed within 12 months of the November 17, 2003, judgment of sentence and neither exception found in MCR 7.205(F)(4) has been satisfied. In particular, the second exception has not been satisfied since the application was not filed within 42 days of the order of appointment as required by MCR 7.205(F)(4)(c). The Court would note that issue I has not been preserved since it was not made part of the plea agreement.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 10 2006

Date

Sandra Schultz Mengel
Chief Clerk